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FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			GOLINKOFF, JORDAN	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/841,957	Applicant(s) KAWASHIMA ET AL.	
	Examiner Jordan S Golinkoff	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 21-23, 28, 34, and 40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20, 24-27, 29-33 and 35-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 21-23, 28, 34, and 40 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in papers received on May 4, 2004.
2. Applicant's election without traverse of claims 1-20, 24-27, 29-33, and 35-39 in papers received on May 4, 2004 is acknowledged.

Specification

1. The abstract of the disclosure is objected to because:
 - The abstract is labeled "Summary of the Invention" and should be labeled "Abstract"
 - Page 37, line 4 – "pointing devices such" should be changed to "pointing devices, such"
 - Page 37, line 4 – "or the like are" should be changed to "or the like, are"
 - Page 37, line 4 – "plural mouse, data tablet" should be changed to "plural mice, a data tablet,"
 - The abstract has many other grammatical errors that seem to be due to a direct translation from another language and should be corrected so as to be more easily understood.

Correction is required. See MPEP § 608.01(b).

2. The specification appears to be a literal translation into English from a foreign document and is replete with grammatical and idiomatic errors. Appropriate correction is required.

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3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

4. Claims 20, 22, and 32 are objected to because of the following informalities:
- Claim 20 – “commands to” should be changed to “commands”
 - Claim 22 – “base” should be changed to “based”
 - Claim 32 – “::” should be changed to “:”

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 6 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 6 states that “said information linked to more than one other information is described with language for predetermined image description.” It is unclear what “language for predetermined image description” means and this is not explained in the specification.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 29 and 38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 29 and 38 both state, "about cursor of the 1 greater or equal which it is based on operation signal from an operation means more than 1 to operate a cursor to point out position, and is each controlled to a housekeeping apparatus managing said cursor information." This is unclear and should be changed to more clearly indicate the claimed subject matter. Examiner will interpret this to mean controlling, managing, and operating multiple cursors.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-4, 7-8, 17-18, 20, 24-26, 29, 32-33, 35, and 37-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Perälä (US005917472A).

As per independent claim 1, Perälä teaches a display control apparatus for controlling display of information comprising: a display control means for displaying information linked to more than one other information and a plurality of cursors on a display device (columns 1-2, lines 63-5); a selecting means for selecting one of said more than one other information based on each position designated by each of said cursors on said information displayed on said display

device (column 2, lines 55-57); and an acquisition means for acquiring said information selected by said select means (column 2, lines 33-57)

Claims 32 and 35 are similar in scope to claim 1 and are therefore rejected under similar rationale.

As per claim 2, which is dependent on claim 1, Perälä teaches that the display control means further displays said information acquired by said acquisition means on said display device (column 2, lines 33-57, *i.e. – clicking on information to acquire information*).

As per claim 3, which is dependent on claim 1, Perälä teaches an operation means (column 1-2, lines 63-5); and a reception means for receiving operation signals from said operation means to operate each of said cursors, wherein said display control means displays on said display device said each cursor based on said operation signals (column 2, lines 33-57).

As per claim 4, which is dependent on claim 1, Perälä teaches that the display control means displays said plurality of cursors so as to be distinguished to each other (column 2, lines 45-48)

As per claim 7, which is dependent on claim 1, Perälä teaches that the acquisition means acquires information from server means on the Internet (column 4, lines 31-33, *i.e. – a network application acquires remote information*).

As per claim 8, which is dependent on claim 1, Perälä teaches that the acquisition means is a browser for a World Wide Web (column 4, lines 31-33, *i.e. – a browser is a network application*)

As per independent claim 17, Perälä teaches a display control apparatus comprising: a cursor information acquisition means for acquiring cursor information for more than one cursor

operated at each of plural terminal devices from more than one apparatus (column 1-2, lines 63-5, *i.e.* – *respective display means*); a cursor information proposal means for proposing said cursor information to said respective terminal device to display said plural cursors at each of said terminal devices (columns 1-2, lines 63-9); a selecting means for selecting one of said more than one other information linked to said information based on each position designated by each of said cursors on said information displayed together with said plural cursors at each of said terminal devices (column 2, lines 33-57); and an acquisition control means for having each of said terminal devices acquire the information selected by said selecting means (column 2, lines 33-57).

Claims 33 and 37 are similar in scope to claim 17, and are therefore rejected under similar rationale.

As per claim 18, which is dependent on claim 17, Perälä teaches that the display control means is provided at one of said terminal devices (columns 1-2, lines 63-5).

As per claim 20, which is dependent on claim 17, Perälä teaches that the acquisition control means commands each of said plural terminal devices to acquire said selected information selected by said selecting means by proposing to the respective terminal devices a command information for commanding to acquire said selected information selected by said selecting means (column 2, lines 33-57).

As per independent claim 24, Perälä teaches a display control apparatus comprising: a cursor information proposal means for proposing cursor information about cursor of more than one cursor respectively controlled based on operation signal from more than one operation means for operating cursors to a managing means for managing said cursor information

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(columns 1-2, lines 63-9); a cursor information acquisition means for acquiring said cursor information of more than one apparatus proposed by said managing means (column 2, lines 33-57); and a display control means for displaying on a display said plural cursors based on said cursor information acquired by said cursor information acquisition means (column 2, lines 33-57).

As per claim 25, which is dependent on claim 24, Perälä teaches that the managing means comprises an information acquisition means for acquiring information selected based on position designated by each cursor corresponding to said cursor information for said terminal devices (column 4, lines 18-21).

As per claim 26, which is dependent on claim 25, Perälä teaches that the managing means proposes a command information for commanding to acquire said selected information selected based on position designated by respective cursor; and said information acquisition means acquires said information based on said command information (column 4, lines 18-21 and column 2, lines 33-57).

As per independent claim 29, Perälä teaches a method for controlling display of information, the method comprising the steps of: cursor information proposal step for proposing cursor information related to more than one cursor controlled based on operation signal from more than one operating means to managing apparatus for managing said cursor information (columns 1-2, lines 63-9); about cursor of the 1 greater or equal which it is based on operation signal from an operation means more than 1 to operate a cursor to point out position, and is each controlled to a housekeeping apparatus managing said cursor information (columns 1-2, lines 63-9); cursor information acquisition step for acquiring said cursor information for plural terminal

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devices proposed by a managing device (column 2, lines 33-57); and display control step for displaying said plural cursors based on said cursor information acquired at said cursor information acquisition step on a display by superposing on information linked to more than one other information (column 2, lines 33-57).

Claim 38 is similar in scope to claim 29, and is therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 9-16, 19, 27, 30-31, 36, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perälä et al. ("Perälä," USPGPUB# 20020026478).

As per independent claim 9, Perälä teaches a display control apparatus comprising: a display control means for displaying on a display all of said cursors and information linked to more than one other information (columns 1-2, lines 63-9); a selecting means for selecting one of said other information linked to said information based on each position designated by each of said plural cursors (column 2, lines 33-57); and an acquisition means for acquiring the information selected by said selecting means (column 2, lines 33-57). Perälä does not explicitly disclose more than one first memory means for storing more than one cursor.

However, Perälä does teach the use of a plurality of terminals (column 2, line 2, *i.e.* – *respective display means*). The use of a plurality of terminals implies that there are a plurality of

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memories for storing cursor information. Furthermore, Official Notice is given that the use of a plurality of memories to store information is well known in the art and is a detail of implementation. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Perälä with a means to store cursor information in more than one memory means with the motivation to increase the efficiency and decrease the latency of displaying multiple cursors.

Claims 31 and 36 are similar in scope to claim 9 and are therefore rejected under similar rationale.

As per claim 10, which is dependent on claim 9, Perälä does not explicitly disclose a second memory means for storing all said cursors stored in all of said first memory means, wherein said display control means displays said all cursors stored in said second memory means by superposing on said information. Official Notice is given that the use of a plurality of memories to store display information is well known in the art. Therefore, as discussed above, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Perälä with a means to store cursor information in more than one memory means with the motivation to increase the efficiency and decrease the latency of displaying multiple cursors.

Claim 14 is similar in scope to claim 10, and is therefore rejected under similar rationale.

As per claim 11, which is dependent on claim 10, the modified Perälä teaches that the selection means selects one of said other information based on each position of said cursors stored in said second memory means (column 4, lines 18-21).

As per claim 12, which is dependent on claim 10, Perälä does not explicitly disclose a first writing means for writing each of said cursors into a corresponding one of said first memory means based on each operation signal from each of plural operation means for operating each of said cursors; and a second writing means for writing all the cursors stored in all of said first memory means to said second memory means. Official Notice is given that writing information to multiple memories is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Perälä with a means to store cursor information in more than one memory means with the motivation to increase the efficiency and decrease the latency of displaying multiple cursors.

Claim 16 is similar in scope to claim 12, and is therefore rejected under similar rationale.

As per independent claim 13, Perälä teaches a display control apparatus comprising: a cursor information acquiring means for acquiring, from each of plural terminal devices, more than one cursor operated at each of said terminal devices (column 2, line 2, *i.e. – respective display means*); a cursor information proposal means for proposing to said terminal device to display the plural cursors at each of said terminal devices (column 2, lines 33-57); a selecting means for selecting one of said more than one other information linked to said information based on each position designated by each of said cursors on said information displayed together with said plural cursors at each of said terminal devices (columns 1-2, lines 63-9); and an acquisition control means for having each of said terminal devices acquire the information selected by said selecting means (column 2, lines 33-57). Perälä does not explicitly disclose acquiring from stored contents of a first memory means cursor information; a second memory means for storing all said stored contents of said first memory means of said each terminal device; or proposing

the stored contents of said second memory means to respective terminals to display cursors corresponding to the stored contents of the second memory means.

However, Perälä does teach the use of a plurality of terminals (column 2, line 2, *i.e.* – *respective display means*). The use of a plurality of terminals implies that there are a plurality of memories for storing cursor information. Furthermore, Official Notice is given that the use of a plurality of memories to store information is well known in the art and is a detail of implementation. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Perälä with a means to store cursor information in more than one memory means with the motivation to increase the efficiency and decrease the latency of displaying multiple cursors.

Claims 30 and 39 are similar in scope to claim 13 and are therefore rejected under similar rationale.

As per claim 15, which is dependent on claim 14, the modified Perälä teaches a display control means for displaying said plural cursors by superposing on said information linked to more than one other information (column 2, lines 33-57). Perälä does not explicitly disclose that the cursors correspond to the stored contents of said second memory means. However, Official Notice is given that retrieving information from memories is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Perälä with a means to retrieve information from a second memory with the motivation to increase the efficiency and decrease the latency of displaying multiple cursors.

As per claim 19, which is dependent on claim 17, the teachings of Perälä in regards to claim 17 have been discussed above. Perälä does not explicitly disclose that the plural terminal

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devices are mutually connected by way of a predetermined network; said cursor information acquisition means acquires said cursor information through said network; and said cursor information proposal means proposes said cursor information through said network.

However, Perälä does teach the use of a plurality of terminals (column 2, line 2, *i.e.* – *respective display means*). Official notice is given that connecting terminals using a network and transferring information across a network to connect computers is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Perälä with a means to connect terminals in a network; said cursor information acquisition means acquires said cursor information through said network; and said cursor information proposal means proposes said cursor information through said network with the motivation to allow users to communicate regardless of their physical proximity.

Claim 27 is similar in scope to claim 19, and is therefore rejected under similar rationale.

Allowable Subject Matter

13. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Prior art does not disclose using the number of cursors to determine what information is selected.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Higashio (US005900869A) also teaches a means to display multiple cursors and work collaboratively.

Rodgers et al. (USPGPUB# 20020026478) also teach the use of multiple cursors controlling access to information in a network setting.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan S Golinkoff whose telephone number is 703-305-8771. The examiner can normally be reached on Monday through Thursday from 8:30 a.m. to 6:00 p.m. and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jordan Golinkoff
Patent Examiner
May 20, 2004

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100